IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

WP(C).No. 21366 of 2006(R)

PETITIONER:

AJI KUMAR, AGED 37 YEARS, S/O.VASUDEVAN,
KADAYIL VEEDU, KUZHIYIL MUKKU, ATTINGAL,
WHO IS NOW RESIDING AT REJI VILASOM,
MANAMPOOR, KALLAMBALAM, THIRUVANANTHAPURAM.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS:
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1. **THE SUPERINTENDENT OF POLICE (RURAL),**
   OFFICE OF THE SUPERINTENDENT OF POLICE (RURAL),
   THIRUVANANTHAPURAM.

2. **THE DEPUTY SUPERINTENDENT OF POLICE,**
   OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
   ATTINGAL, THIRUVANANTHAPURAM DISTRICT.

3. **THE CIRCLE INSPECTOR OF POLICE/**
   STATION HOUSE OFFICER, OFFICE OF THE CIRCLE
   INSPECTOR OF POLICE, ATTINGAL,
   THIRUVANANTHAPURAM DISTRICT.

4. **THE SUB INSPECTOR OF POLICE/STATION**
   HOUSE OFFICER, KALLAMBALAM POLICE STATION,
   THIRUVANANTHAPURAM.

(.....2)

5. BABY @ SATHEESH KUMAR, S/O. SAMBASIVAN,
SAVITHAS, AZHAMKONAM, MANAMPOOR,
KALLAMBALAM, THIRUVANANTHAPURAM.

6. SINGH @ REJI LAL, S/O. SAHADEVAN,
SREE THIRUVATHIRA, THOTTAKKAD POST,
KALLAMBALAM, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21366 of 2006(R)

APPENDIX

Petitioner's Exhibits:-

Ext.P1: **Copy of the First Information Report dtd.31.12.2004 in crime No.645/2004.**

Ext.P2: **Copy of the discharge card dated 11.2.2005.**

Ext.P3: **Copy of the letter dated 5.8.2005.**

Ext.P4: **Copy of the representation dated 8.8.2006.**

Respondents' Exhibits:- **Nil.**

(true copy)

P.S. TO JUDGE.

Kvs/-

K. Balakrishnan Nair &
T.R. Ramachandran Nair, JJ.

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W.P.(C).NO.21366 of 2006-R

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Dated this the 26th day of September, 2007

JUDGMENT

Balakrishnan Nair J.

The petitioner has approached this court seeking protection from respondents 5 and 6. The 4th respondent has filed a statement in which it is submitted that petitioner and respondents 5 and 6 were members of a goonda gang. The 5th respondent was totally disabled in an attack on him on 18.11.2006 by his opponents including the petitioner. Thereafter, the 5th respondent is not physically fit to attack others. The 4th respondent also submitted that there is no threat from the part of respondents 5 and 6 against the petitioner.

We feel that in this war between goonda elements, the police need not take any sides. They can proceed against the persons indulging in criminal activities. With this observation, the writ petition is dismissed.

(K. Balakrishnan Nair, Judge.)

(T.R. Ramachandran Nair, Judge.)

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